

**Commonwealth of Massachusetts
Executive Office of Health and Human Services**

NOTICE OF PUBLIC HEARING

Under the authority of M.G.L. c. 118E and in accordance with M.G.L. c. 30A, the Executive Office of Health and Human Services (EOHHS) will hold a remote public hearing on Tuesday, April 22, 2025, at 1:00 p.m. relative to the adoption of amendments to the following regulation.

101 CMR 430.00: Rates for Program of Assertive Community Treatment Services

The proposed regulation contains rates effective for dates of service on or after July 1, 2025. There is no fiscal impact on cities and towns.

101 CMR 430.00 governs the payment rates paid by governmental units for the Program of Assertive Community Treatment services provided to publicly aided individuals. Services with rates established by this regulation are purchased by the Department of Mental Health (DMH).

Pursuant to M.G.L. Chapter 118E, Section 13D (f/k/a Chapter 257 of the Acts of 2008), EOHHS is required to establish the rates to be paid by governmental units for social service programs. In accordance with this statutory requirement, the rates in 101 CMR 430.00 are being updated to include an increase by a cost adjustment factor (CAF) of 3.25%. The CAF was determined by using baseline and prospective Massachusetts Economic Indicator data from IHS Economics – Fall 2024 Forecast, baseline scenario data. The CAF reflects the period between the rates' base period (fiscal year 2025 Q4) and the prospective period of fiscal years 2026 and 2027.

The rates for this DMH service have been updated with the programmatic cost benchmarks to either similar services' programmatic expenses, the Uniform Financial Statements and Independent Auditor's Report (UFR), or the purchasing agency's recommendation. The staff salaries have been benchmarked to the Massachusetts Bureau of Labor Statistics (BLS) wages at the 53rd percentile as dated May 2023. The tax and fringe rate has been benchmarked to 24.97%. This benchmark is derived from the MA Comptroller's FY25 approved rate less terminal leave and retirement. The language in the Severability section has also been updated for consistency across EOHHS rate regulations.

The total projected annualized cost to state government from the increase in rates effective July 1, 2025, is approximately \$1.36 million, which represents an increase of 8.37% over FY24 spending of approximately \$16.3 million. The increase in spending in FY26 will be covered through the Chapter 257 Reserve Account.

To register to testify at the hearing and to get instructions on how to join the hearing online, go to www.mass.gov/info-details/executive-office-of-health-and-human-services-public-hearings. To join the hearing by phone, call (646) 558-8656 and enter meeting ID 935 397 8200# when prompted.

You may also submit written testimony instead of, or in addition to, live testimony. To submit written testimony, please email your testimony to ehs-regulations@mass.gov as an attached Word or PDF document or as text within the body of the email with the name of the regulation in the subject line. All written testimony must include the sender's full name, mailing address, and organization or affiliation, if any. Individuals who are unable to submit testimony by email should mail written testimony to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Written testimony will be accepted through 5:00 p.m. on Tuesday, April 22, 2025. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care for MassHealth-covered services.

To review the current draft of the proposed regulation, go to www.mass.gov/info-details/executive-office-of-health-and-human-services-public-hearings or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171. To view or download related supporting materials, go to www.mass.gov/info-details/proposed-regulations-supporting-materials.

Special accommodation requests may be directed to the Disability Accommodations Ombudsman by email at ADAAccommodations@mass.gov or by phone at (617) 847-3468 (TTY: (617) 847-3788 for people who are deaf, hard of hearing, or speech disabled). Please allow two weeks to schedule sign language interpreters.

EOHHS may adopt a revised version of the proposed regulation taking into account relevant comments and any other practical alternatives that come to its attention.

In case of inclement weather or other emergency, hearing cancellation announcements will be posted on the MassHealth website at www.mass.gov/info-details/executive-office-of-health-and-human-services-public-hearings.

March 29, 2025